

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010090513

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On September 14, 2010, Student filed a Due Process Hearing Request (complaint), against the Los Angeles Unified School District (District). On January 13, 2011, Student filed a Motion to Amend the complaint and an Amended Due Process Hearing Request (amended complaint). On January 13, 2011, District filed a statement of non-opposition to Student's motion and amended complaint.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The due process hearing in this matter is set for January 20, 2011. Therefore, the motion to amend is timely, and District consents to the amendment. Student's motion is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. The Office of Administrative Hearings will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: January 14, 2011

/s/

BOB VARMA

Administrative Law Judge

Office of Administrative Hearings